

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.22577 of 2017**

Arising Out of PS.Case No. -131 Year- 2017 Thana -BIHTA District- PATNA

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1. Rohit Kumar, Son of Akhilesh Prasad.  
2. Sudhir Kumar, Son of Surendra Prasad, Both residents of Maudahi,  
Police Station- Bihta, District- Patna.

.... .... Petitioners

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Parashuram Singh, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

3      15-05-2017                      Heard learned counsel for the petitioners.

This is an application for bail in connection with Bihta  
P.S.Case No. 131 of 2017 registered for the offences punishable  
under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioners is of recovery of 90  
litres of Mahua wine from the motorcycle.

It has been submitted on behalf of the petitioners that  
petitioners have falsely been implicated in this case having clean  
antecedent and they are in custody for more than two months.

Heard learned APP also, who has opposed the prayer  
for bail stating that huge quantity of liquor has been recovered  
from the possession of the petitioners.

Having heard both sides and considering the aforesaid  
facts and circumstances, let the petitioners, named above, be



released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Danapur, in connection with Bihta P.S.Case No. 131 of 2017, subject to the conditions that :-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of their bail.

**(Vinod Kumar Sinha, J)**

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